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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,260	07/14/2003	Srimanth Gunturi	RSW920030065US1	9972
53792 7590 02/13/2009 DILLON & YUDELL LLP 8911 N. CAPITAL OF TEXAS HWY. SUITE 2110 AUSTIN, TX 78759				
EXAMINER TRAN, TUYETLENT				
ART UNIT 2179		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/619,260

**Applicant(s)**

GUNTURI ET AL.

**Examiner**

TUYETLIEN T. TRAN

**Art Unit**

2179

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/02/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 4-9, 11-16 and 18-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-9, 11-16 and 18-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is responsive to the following communication: Amendment filed 12/02/08.

**This action is made final.**

2. Claims 1, 2, 4-9, 11-16, 18-22 are pending in the case. Claims 1, 8, 15 are independent claims.

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 2, 4-9, 11-16, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al (Patent No. US 6252592 B1, hereinafter King) in view of Wenstrand et al. (Patent No. 5544299; hereinafter Wenstrand) further in view of Weeren et al (Patent No. 6637022 B1; hereinafter Weeren).

**As to claims 1, 8 and 15, King teaches:**

A method, a system and a computer program product for displaying a plurality of visual elements associated with a computer program application (e.g., see Fig. 2 and col. 3 lines 53-67), said method comprising:

defining a sequential tabbing order for the plurality of visual elements (e.g., see col. 3 lines 53-67 and Fig. 2); and

displaying a first graphical linking element included in the plurality of visual elements (e.g., see Fig. 2; note that labels 1-7 represent the tab association between visual elements "name" to "delete" which is interpreted as graphical linking element), wherein the first graphical linking element represents the sequential tabbing order (e.g., see col. 3 lines 53-67 and Fig. 2).

While King teaches the capability for the user to see the link that extends between first and second visual elements (e.g., labels 1-7 in Fig 2 are in numerical order), King does not expressly teach that the first graphical linking element extending between first and second visual elements included in the plurality of visual elements that includes a line segment that extends between and substantially graphically connects the first visual element and the second visual element and a graphical element that indicates a direction of the sequential tabbing order between the first and second visual element (e.g., an arrow that indicates a direction of the sequential tabbing order between the first and second visual element).

Wenstrand suggests to the skilled artisan that, linking elements with direction (e.g., arrows) are used to graphically demonstrate the connection between visual elements and are used to indicate direction of the sequential tabbing order between the visual elements (e.g., see Fig. 1, col. 3 lines 52-67 through col. 3 lines 1-14). While Wenstrand discloses that arrows are used to demonstrate a direction of a sequential tabbing order between visual elements;

Wenstrand does not disclose that the linking element with direction (e.g., arrows) are used in a graphical development environment. Weeren discloses a graphical development environment wherein arrows are used to indicate a program flow (e.g., see Figs. 3, 4 and col. 2 lines 46-56). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the linking elements with direction as taught by Wenstrand in a graphical development environment as taught by Weeren to achieve the capability to provide the arrows that are used to indicate the connection between visual elements and the direction of the sequential tabbing order between the visual element to facilitate the task of developing a program (e.g., see weeren col. 1 lines 51-63).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the graphical linking element as taught by King to include the arrow graphical elements as suggested by Wenstrand and Weeren to represent the sequential tabbing order in a graphical development environment of King to achieve the claimed invention. One would have been motivated to use the arrow graphical elements representing the sequential tabbing order because arrow graphical elements are known to indicate a direction or relation as express suggestion by Wenstrand (e.g., see Fig. 1, col. 3 lines 52-67 through col. 3 lines 1-14).

**As to claims 2, 9 and 16, King further teaches:**

displaying a second graphical linking element in the sequential tabbing order that associates the second visual element and a third visual element (e.g., see labels 2, 3 and elements "address" and blank field in Fig. 2). Wenstrand also suggests a second graphical linking element extending between the second visual element and a third visual element (e.g.,

see Fig. 1). Thus, combining King, Wenstrand and Weeren would meet the claimed limitations for the same reasons as discussed with respect to claims 1, 8 and 15 above.

**As to claims 4, 11 and 18,** King further teaches displaying a plurality of textual order tags such that each of the textual order tags is located adjacent a respective one of the plurality of visual elements and includes text indicating a relative rank of the respective one of the plurality of visual elements in the sequential tabbing order (e.g., see King Fig. 2 and col. 3 lines 53-67).

**As to claims 7, 14 and 21,** King further teaches defining a second sequential tabbing order for the plurality of visual elements (e.g., "add" and "delete" may form a second tabbing group, see col. 4 lines 1-13), wherein the first sequential tabbing order includes the first visual element which is not in the second sequential tabbing order (e.g., note that the first sequential tabbing order includes "name", "address", "telephone" and "credit card" which are not included in the second tabbing order as mentioned above, see col. 4 lines 1-13), and the second sequential tabbing order includes a third second visual element, included in the plurality of visual elements, that is not in the first sequential tabbing order (e.g., see col. 4 lines 1-13);

displaying a second graphical linking element associating the second visual element and another of the plurality of visual elements, wherein the second graphical linking element represents at least a portion of the second sequential tabbing order (e.g., a distinct tabbing order may be defined within each tabbing group, see col. 4 lines 1-13).

Wenstrand suggests graphical linking elements extending between visual elements to indicate sequential tabbing order (e.g., see Fig. 1). Thus, combining King, Wenstrand and Weeren would meet the claimed limitations for the same reasons as discussed with respect to claims 1, 8 and 15 above.

**As to claim 22**, Wenstrand suggests graphical linking elements extending between visual elements to indicate sequential tabbing order in such a way that the first graphical linking element has first and second apposed ends (e.g., arrow shown in Fig. 1), and wherein the first end terminates on the first visual element (e.g., element 21) and the second end terminates on the second visual element (e.g., element 22). Thus, combining King, Wenstrand and Weerenwould meet the claimed limitations for the same reasons as discussed with respect to claim 1 above.

**As to claims 5, 12 and 19**, King, Wenstrand and Weerenteach the limitations of claims 1, 8 and 15 for the same reasons as discussed above. King further teaches changing the tabbing order of the visual elements in a user interface for an application (e.g., see King col. 2 lines 61-65). King further teaches reconfiguring the at least one graphical linking element to reflect a new sequential tabbing order responsive to a modification of the sequential tabbing order (e.g., note published paper by Cox et al. "Grouping objects for Tabbing and Cursoring in Visual Programming" is incorporated by reference, see Cox page 562 and Figs. 3a and 3b).

**As to claims 6, 13 and 20**, King further teaches modifying the sequential tabbing order responsive to user input relocating the at least one graphical linking element relative to at least one of the plurality of visual elements (e.g., see Cox et al. page 562 and Figs. 3a and 3b; incorporated reference by Cox et al).

#### **Response to Arguments**

5. Applicant's arguments filed on 12/02/08 have been considered but are not persuasive.
  - a) With regards to claims 1, 8 and 15, Applicant argues since King teaches that automatic scanning obviates the need for labeling elements to indicate a tabbing order; therefore,

concludes that King teaches away from providing an indication of next visual element in a tabbing order (e.g., see Applicant's remark page 7, paragraph 2).

In response, the examiner agrees with the applicant that King teaches automatic scanning without requiring an indication to display and identify the next visual element. However, the examiner is not relying on the King's teaching of automatic scanning of tabbing order; instead, is relying on the background teaching of the reference of King. As noted in the foregoing rejection of claim 1, all portions that the examiner has cited are from the background of invention disclosed in the reference of King. The fact that the cited portions of King come from the back ground or prior art solutions would suggest to the skill artisan that, at the time the invention of King was made, the feature of the cited portion is a well-known practice. Therefore, the applicant's assertion that King teaches away from providing an indication of a next visual element in a tabbing order is not relevant.

b) With regards to claims 1, 8 and 15, Applicant argues the Wenstrand does not teach or suggest the use of linking elements with direction to graphically demonstrate a connection between visual elements (e.g., see Applicant's remark page 7, paragraph 3).

In response, the examiner respectfully disagrees. As set forth in the foregoing rejection of claim 1, King teaches using numerical numbers to identify the tabbing orders (e.g., Fig. 2; wherein the labels 1-7 represent the tab association between visual elements "name" to "delete", which is interpreted as graphical linking elements). The numerical numbers implicitly suggest to the skilled artisan that there is a connection between one graphical element to another (i.e., number 2 is subsequent to number 1). However, King does not teach using an arrow to demonstrate the tabbing orders between the graphical elements.

In the same field of endeavor of tabbing order, Wenstrand suggests to the skill artisan that arrows are used to graphically demonstrate the connection between visual elements and



are used to indicate direction of the sequential order between the visual elements (e.g., see Fig. 1, col. 3 lines 52-67 through col. 3 lines 1-14). While Wenstrand clearly suggests to the skilled artisan that arrows are used to demonstrate the tabbing orders between the visual elements, Wenstrand does not expressly disclose that the arrows are used in a program (e.g., graphical development environment). Nonetheless, using arrows to indicate program flow are well known in the art as disclosed by Weeren (e.g., see Figs. 3, 4 and col. 2 lines 46-56). Therefore, based on the suggestion in Wenstrand and Weeren, it would have been obvious to one skilled in the art, at the time the invention was made, to have used arrows in addition to numerical numbers to display the tabbing order to achieve the claimed invention of claim 1. One would be motivated to make such a combination is for the same reasons as set forth in the rejection of claim 1 above.

c) With regards to claims 1, 8 and 15, Applicant argues the one skill in the art would not be motivated to combine Weeren with King as King teaches away from providing an indication of next visual element (e.g., see Applicant's remark page 7, paragraph 3 and page 8).

In response, the examiner respectfully disagrees. As set forth in the response of a), the examiner does not rely on the feature of automatic scanning of King. Therefore, the fact that the applicant asserts that King teaches away from providing an indication of a next visual elements in tabbing order is true but not relevant. In addition, it is noted that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the combination of King (e.g., the background of the King invention) and Wenstrand and Weeren teaches all the limitations of

claim 1 for the same reasons as set forth in the foregoing rejection of claim 1 and argument b).

### **Conclusion**

**THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/TuyetLien T Tran/  
Examiner, Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179